



**U.S. Department of Justice**

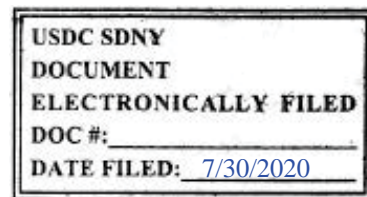
*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

July 28, 2020

**BY ECF**

The Honorable Alison J. Nathan  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007



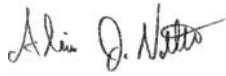
**Re: *United States v. Jesus Rivera*, 20 Cr. 304 (AJN)**

Dear Judge Nathan:

The Government, with Defendant Jesus Rivera's consent, respectfully submits this letter regarding the Defendant's June 26, 2020 request to inspect grand jury records. (*See* Dkt. No. 11 (the "June 26 Request").) Your Honor previously decided to "postpone ruling" on that request until after the June 30, 2020 call with the Jury Administrator (the "June 30 Call") that Judge Failla had scheduled to discuss nearly identical requests in *United States v. Balde*, 20 Cr. 281 (KPF). (Dkt. No. 17.) The Government and defense counsel participated in the June 30 Call. The defendant in *Balde* subsequently informed the Government that the Jury Administrator had responded in full to certain requests during that call. (*See* 20 Cr. 281, Dkt. No. 30.) The Jury Administrator has been ordered to comply with the outstanding requests in *Balde*, as slightly modified by Judge Failla's order, dated July 16, 2020, following the parties' agreement on a protective order. (*See* 20 Cr. 281, Dkt. No. 30.)

The Defendant in this case is seeking substantially the same records that the Jury Administrator has been ordered to produce in *Balde*. The parties here are in agreement that the Defendant is entitled to those same jury records. Accordingly, the Government respectfully requests that the Court postpone its ruling until after the Jury Administrator has completed her production in *Balde*. That way, to the extent that the Court grants the Defendant's request in this case, the Court can determine whether it is appropriate to simply order the Government to produce all (or some) of the records produced in *Balde*, without further burdening the Jury Administrator

SO ORDERED.



7/29/2020

or requiring her to make multiple, duplicative productions.<sup>1</sup> The Defendant reserves the right, with the consent of the Government, to raise any perceived deficiencies in the Jury Administrator's response.

Respectfully submitted,

AUDREY STRAUSS  
Acting United States Attorney

by:



Sarah L. Kushner  
Assistant United States Attorney  
(212) 637-2676

cc: Christopher A. Flood, Esq. (by ECF)  
Annalisa Miron, Esq. (by ECF)

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<sup>1</sup> The Government anticipates that prior to the receipt of any production of jury records in this case, it will propose to the Court a protective order to address specific issues tied to those records and that such a proposed order will be modeled on the one that the Government anticipates will be entered shortly in *Balde*.